

M. GALE LEMMON #4363  
Assistant Attorney General  
MARK L. SHURTLEFF #4666  
Attorney General  
Attorneys for Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, UT 84114  
Telephone (801) 538-3872

## BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**RESPONDENT:**

ERIK ROBERT JACOBSEN  
2023 North 1615 West  
Clinton, UT 84015  
License No. 293381

**NOTICE OF INFORMAL  
ADJUDICATIVE PROCEEDING  
AND ORDER**

Docket No. 2008-108-LC

Enf. Case No. 2244

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The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Annotated §§ 31A-2-201 and 63G-4-201 and Utah Administrative Code Rule R590-160. Based upon information contained in agency files or known to the Commissioner, the Commissioner makes the following:

### **FINDINGS OF FACT**

1. Respondent is a limited lines insurance agent authorized to do the business of insurance in the State of Utah holding License number 293381.
2. Respondent submitted an application for a limited lines insurance agent's license on May 23, 2008. In his application, Respondent answered "No" to the question "Have you ever been convicted of ... a crime...?"

3. At the time of the submission of his application, Respondent knew that he had been convicted of: possession and use of a controlled substance on May 31, 2001.

Having entered his Findings of Fact, the Commissioner now enters his:

### **CONCLUSION OF LAW**

1. In submitting false information on his license application by stating he had not been convicted of a crime when such was not the case, Respondent violated Utah Code Annotated § 31A-23a-105(2) and 31A-2-202(6).

2. In providing false information on his license application, Respondent brings into question his qualification to hold an insurance agent's license under Utah Code Annotated § 31A-23a-107(2) as being competent and trustworthy.

3. In violating insurance statutes, Respondent is subject to imposition of forfeitures of up to \$5,000.00 per violation under Utah Code Annotated § 31A-2-308, and is subject to the revocation or suspension of his license under Utah Code Annotated § 31A-23a-111(5)(b), and having his license placed on probation under Utah Code Annotated § 31A-23a-112.

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

### **ORDER**

#### **IT IS HEREBY ORDERED:**

1. Respondent is assessed an administrative forfeiture in the amount of \$500.00, to be paid within 10 days of the date this Order becomes final.

2. Respondent's license is placed on probation for a period of 24 months from the date this Order becomes final. The terms of probation are:

a. Respondent shall pay the administrative forfeiture assessed herein in a timely manner;

b. Respondent shall have no further violations of the Utah Insurance Code or Rules or of any order of the commissioner; and

c. during the period of probation Respondent shall not commit any criminal act except minor traffic violations.

3. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the department prior to that date. A written request for a hearing shall be signed by the person making the request and shall state the basis for the relief requested.

### **NOTIFICATION**

If you request a hearing regarding this matter, the department will be represented by M. Gale Lemmon, Assistant Attorney General, State Office Building, Room 3110, Salt Lake City, Utah 84114, Telephone Number (801) 538-3800. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

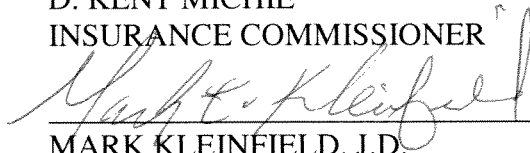
You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to \$2,500.00 per violation and the suspension or revocation of your license and the filing of an action in District Court, which may impose forfeitures of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

**Questions regarding this Adjudicative Proceeding should be directed to Robert Herrera, at the Utah Insurance Department, telephone number (801) 538-3701.**

DATED THIS 22 day of September, 2008.

D. KENT MICHIE  
INSURANCE COMMISSIONER

A handwritten signature in cursive script, appearing to read "Mark Kleinfeld", is written over a horizontal line.

MARK KLEINFELD, J.D.  
ADMINISTRATIVE LAW JUDGE  
Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, Utah 84114  
Telephone (801) 538-3800

**UTAH**  
**Invoice - Original**

Page 1

Printed Date: September 22, 2008  
Invoice Date: September 22, 2008  
Balance Due: \$500.00  
Due Date: October 16, 2008  
Invoice ID: 392878  
Payor ID: 1364003

JACOBSEN ERIK ROBERT  
QUALITY DOGE  
PO BOX 239 1141 N MAIN  
TOOELE UT 84074

Item Description	Amount
9/22/2008 Monetary Penalty Individual	\$500.00
E-Case 2244 Docket 2008-128 LC	
<b>Original Amount Due</b>	<b>\$500.00</b>

**UTAH**  
**Invoice - Original**

Invoice Date: September 22, 2008  
Balance Due: \$500.00  
Due Date: October 16, 2008  
Invoice ID: 392878  
Payor ID: 1364003  
Payor Name: JACOBSEN, ERIK  
ROBERT

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department  
3110 State Office Building  
Salt Lake City, UT 84114-6901

CERTIFICATE OF MAILING

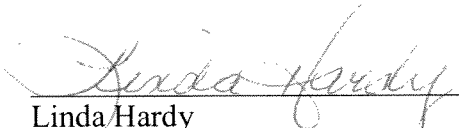
I do hereby certify that on this date I mailed, by regular mail, postage prepaid, a true and correct copy of the attached:

NOTICE OF INFORMAL  
ADJUDICATIVE PROCEEDING  
AND ORDER

To the following:

Erik Robert Jacobson  
2023 North 1615 West  
Clinton, UT 84015

DATED this 22<sup>nd</sup> day of September, 2008.

  
Linda Hardy Court Clerk  
Utah Department of Insurance  
State Office Building, Room 3110  
Salt Lake City, UT 84114-6901